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SUBJECT: FBI DIRECTOR MUELLER,S VISIT TO PANAMA: FOCUS ON
BILATERAL LAW ENFORCEMENT AND ANTI-CORRUPTION COOPERATION

REF: PANAMA 2232

1. (SBU) Summary: FBI Director Robert Mueller visited Panama October 27) 28 as part of his five day, five nation visit to Latin America. During his brief stay he met with President Martin Torrijos and senior GOP national security officials, Attorney General Ana Matilde Gomez and her senior staff, Technical Judicial Police Director Jaime Jacome, and representatives of civil society organizations engaged in anti-corruption and judicial reform efforts. Director Mueller also spoke with the press, and his visit received widespread and positive coverage. The Director,s visit provided encouragement to USG allies in the fights against transnational crime and corruption and helped to counter the charge that the USG is trying to &re-militarize8 Panama. All agreed that law enforcement cooperation between the U.S. and Panama was excellent, and that both countries would look for opportunities to expand this relationship. End Summary

Breakfast with President Torrijos

2. (SBU) Director Mueller, Charge, and Legatt met over breakfast with President Martin Torrijos, Vice President/Foreign Minister Samuel Lewis Navarro, Minister of Government and Justice Hector Aleman, and National Security Council Executive Secretary Leonel Solis. During their wide-ranging discussion, President Torrijos highlighted his efforts to increase governmental transparency and efficiency. Torrijos and VP Lewis noted that Panama enjoys relative security compared to its neighbors, with Lewis boasting that he often travels around the country without a security detail.

3. (SBU) Director Mueller asked President Torrijos about the relative problems of private and public sector corruption. Torrijos acknowledged that private sector corruption was a problem, noting that private companies were known to offer bribes to legislators to pass bills favorable to their interest. The President reiterated his personal commitment to fighting corruption and changing Panama,s culture of impunity. Towards this end, Torrijos said he would be following up on justice reform proposals in the coming months. For his part, Director Mueller noted that the FBI's top priority, after fighting terrorism, is investigating public corruption.

4. (SBU) Torrijos noted that his government was working to enhance security cooperation with the United States through the Panama Secure Trade and Transportation Initiative (PST&TI). He explained that this was a recognition of Panama,s responsibility as a global and maritime hub. Panama,s role in international trade, and the security responsibilities related to this, would only increase with the hoped-for expansion of the Panama Canal.

5. (SBU) Torrijos discussed the challenges posed by local groups, notably left-wing labor unions, who opposed his reform efforts because of their own political agendas. Torrijos and Mueller discussed the need to reform and modernize security agencies, including intelligence services, to address these threats.

Meeting with Attorney General

6. (SBU) As the centerpiece of his visit, Director Mueller met with Attorney General Ana Matilde Gomez, Public Ministry Secretary General Rigoberto Gonzalez, and Anti-Corruption

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Prosecutor Mercedes De Leon. The Director thanked the Attorney General for the outstanding cooperation that Panama provides to U.S. law enforcement agencies and praised her courageous efforts to fight public corruption. The Attorney General expressed appreciation for the visit, noting that Mueller was the first FBI Director to travel to Panama. Gomez also praised the proactive role that the Legal Attache,s office has played in Panama. Director Mueller reiterated the standing invitation to the Attorney General to visit Washington, which she said she would do in early 2006.

17. (SBU) The Attorney General explained that her focus since taking office had been to revitalize the professionalism and ethical conduct of Public Ministry staff. In simple terms, she said that her Ministry couldn't be effective in fighting crime if it was riddled with internal problems. The AG noted that she had created an Office of Professional Responsibility and Human Rights to act as an ombudsman. Mueller applauded this and noted the importance of protecting civil liberties while being effective in fighting crime.

18. (SBU) Gomez told the Director that her priorities were fighting corruption, investigating financial crimes, and stopping trafficking in persons. To do this, she needed qualified and trained prosecutors. Gomez said that these prosecutors must be familiar with modern investigative methods in order to evaluate the work of detectives and properly present cases. Speaking frankly, she complained that the investigative police (PTJ) did not function, as they should.

19. (SBU) Director Mueller said that the FBI had experience training prosecutors in investigative techniques and offered to share this with Panama. The Director said that his staff would look into the possibilities and report back to the AG. Mueller agreed that it was important for prosecutors to have a solid understanding of the investigative process.

110. (SBU) Gomez noted that the system had collapsed in the Drug Prosecutors Office and she wanted to rebuild this institution. She made a special request for training for recently appointed narcotics prosecutor Jose Almengor. The Attorney General noted that the head of the PTJ's anti narcotics unit had recently been arrested, and while glad that he had been caught, this incident demonstrated that traffickers had been successful in infiltrating the investigative group, making the oversight from the prosecutor's office all the more important.

111. (SBU) The Attorney General explained that Panama was also considering major judicial reforms, including the move towards an accusatory system (reftel). She said Panama's system was currently mixed inquisitorial and accusatory. Gomez assured the Director that she was committed to seeing reform take place during the course of her ten year term of office.

112. (SBU) The AG also asked for help in professionalizing Panama's Institute of Legal Medicine. Gomez said she is trying to reengineer this institution, which has the primary responsibility for forensics. The Director suggested that the AG and her staff look at the example of the Miami Dade County Medical Examiners Office and the Police Homicide Unit, both of which have excellent reputations for best practices. He suggested that the AG visit Miami en route to Washington when she travels to the U.S. He also said that the FBI would be happy to show the AG its facilities in Washington and Quantico. The AG said Panama was working to develop both DNA and fingerprint databases. The Director said that this was also an area where the FBI had expertise which it could share.

113. (SBU) Turning to anti-corruption, the AG and anti-corruption prosecutor noted that corrupt practices in Panama's immigration and customs agencies had left the country vulnerable to exploitation by criminals and terrorists. The Director cautioned about possible increases in illegal Brazilian migration through Panama as Mexico imposed visa requirements on Brazilian nationals.

114. (SBU) Mueller emphasized the importance of fast exchange of information to combat terrorism. He stressed the importance of close working relationships between law enforcement officials. The AG agreed, and said that she wanted to ensure the quality of information that Panama shared with its partners. She also stressed the importance of cooperation across borders. For example, Panama is cooperating with Nicaragua in the prosecution of former President Arnoldo Aleman. One of the barriers had been the difficulties in exchanging information on these type of high profile cases.

115. (SBU) Mueller noted that with globalization, crime increasingly crossed borders and our challenge was to overcome these borders. That is why Mueller travels and why the FBI has Legatt offices. Mueller explained that his visit had been planned before the President's travel to the region, and that the two were unrelated. The AG thanked Mueller for visiting and said that this presence was a great help to her.

Joint Press Conference

116. (U) In their joint press conference both the Attorney General and Director Mueller praised the bilateral

cooperation. Mueller highlighted President Torrijos and the Attorney General's commitment to fighting public corruption.

These comments received widespread and favorable media coverage. The AG also took advantage of the press conference to argue for additional resources to professionalize Panama's law enforcement and investigative agencies.

Meeting with PTJ Director Jacome

17. (SBU) Director Mueller met with PTJ Director Jaime Jacome and members of his senior staff. Jacome noted with pride that he was a graduate of the FBI LALEEDs, program. He lauded the excellent relationship between the PTJ and the Legatt and DEA offices in Panama. Jacome described efforts that the PTJ had undertaken to respond to US requests for assistance, including regarding fugitives and drug cases. Noting that he faced serious institutional shortcomings, Jacome requested additional training and assistance from the FBI.

18. (SBU) Jacome thanked the Director for the FBI National Academy retrainee program that had recently concluded in Panama. It had been a great success, and Panama regretted that Mueller had not been able to attend. Mueller thanked Jacome for the assistance that the PTJ provided to the FBI, including organizing the retrainee event. The Director also had the opportunity to meet with several PTJ National Academy graduates.

Director Mueller on the Record with Civil Society

19. (U) At a lunch hosted by Charge, Director Mueller met with representatives of Panamanian government institutions and civil society engaged in good governance and judicial reform programs. Several participants were members of the anti-corruption council and the state commission on judicial reform, which submitted its recommendations to President Torrijos in September (reftel). Mueller underscored U.S. efforts to assist countries in the fight against internal political corruption, and emphasized the need for Panama to establish transparent, independent law enforcement bodies with checks and balances in the overall law enforcement system.

20. (U) Director Mueller, providing an assessment of the structural challenges of Panama's law enforcement system, highlighted what he believed to be Panama's most significant challenges: that Panama does not have an independent judiciary; that Panama does not have an independent police and prosecutorial force; and the impact of narco-trafficking on Panama. He also said inter-agency cooperation was a challenge to maintain, but a great asset. To this the AG commented that she was interested in constructing better local law enforcement cooperation in Panama.

21. (U) To La Prensa's president Fernando Berguido, question about how high political corruption was in the priorities of U.S. foreign policy, Mueller responded that political corruption was a "very high" USG priority. He noted the resources the USG puts into helping other countries address corruption every year. He continued, saying it was a "huge issue" for U.S. international relations, mentioning DOS anti-corruption efforts and citing Mexico as an example of a country that has received numerous USG resources to fight corruption. Mueller then said that diplomacy's difficult task was in knowing how to address the corruption specific to the affected institution or culture. He said that in Panama's case, the judiciary was the most critical area to address, though the process of change would be long.

22. (U) Berguido agreed with Director Mueller, saying that corruption in Panama's judiciary, particularly in the Supreme Court, created a credibility problem for both the judiciary and the political process in the eyes of both the media and the public. According to Berguido, the press was most concerned with the court's credibility at points in the legal process beyond the prosecutorial stage. He called this credibility problem Panama's biggest political task. Berguido added that in the past year he had seen a positive change with the new AG, who was much more active in fighting corruption than the previous AG, Antonio Sossa. He also said that Panama's judicial independence has improved but that Panama was still far from having an independent judiciary free of political influence.

23. (U) Offering words of encouragement, Director Mueller said that fighting political corruption in the U.S. was one of the FBI's priorities. He added that keeping up with technology was key to maintaining effectiveness in combating narco-trafficking and other crime. Panama's low level of violence also impressed Director Mueller.

24. (U) As a final note, the Director emphasized the importance of a system with checks and balances and with

transparency in the decision-making process. He added that Panama,s commitment, at the top levels of government, to addressing corruption served as an example for other countries to follow.

Comment

125. (SBU) Director Mueller,s visit to Panama provided a shot in the arm to both President Torrijos and Attorney General Gomez and helped frame anti-corruption and law enforcement issues prior to President Bush,s visit to Panama. His visit also helped to emphasize the broad nature of our security relationship with Panama and helped to counter the public mis-impression that our goal is to &re-militarize8 Panama.

The Embassy Law Enforcement and Security Working Group will consult with Panamanian counterparts on follow-up to the Director,s visit.

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